IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1189 OF 2001

Shri Rohit Kashiram Rathod ...Petitioner
Vs.
Shri Damodar Namdeo Bhole
& Anr. ...Respondents

Shri Pramod Kathane i/by Shri K.S. Patil for the Petitioner.
Ms M.M. Deshmukh, A.P.P. for the Respondents.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 29, 2005.

P.C.:

1. On 15th September, 2005 on the request made by the Advocate for the Petitioner adjournment was granted for one week as a last chance. On 22nd September, 2005, adjournment was again granted on the request made by the Advocate appearing for the Petitioner. By order dated 22nd September, 2005, Advocate for the Petitioner was directed to ascertain whether the complaint is pending and to make a statement to that effect on the next date. It was clearly stated that no further time will be granted. Today when the Petitioner is called out, Advocate for the Petitioner prays for adjournment. On last two dates adjournment has been already granted as last chance and therefore, said prayer cannot be considered.

2. Petition is filed in the year 2001 for challenging the order and judgment dated 2nd August, 2001 passed by the Additional sessions Judge by which the Revision Application preferred by the Applicant was dismissed. In the Revision Application filed by the Applicant the challenge was to the order passed by the learned Magistrate on Application at Exhibit 31 made by the Petitioner. By order dated 30th October, 1998, the learned Magistrate rejected the Application made by the Applicant at Exhibit 31 praying for dismissal of the complaint on the ground that the original complainant was absent. By the same order the learned Judge cancelled warrant issued against the Petitioner. By the order impugned passed by the learned Sessions Judge, the learned Magistrate was directed to decide the case within period of two months. The said order is made in August, 2001.

3. In my view, there is no error in the view taken by the Sessions Court. No case is made for interference. Petition is rejected.

JUDGE